

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6029 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

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GENERAL MANAGER

Versus

SPECIFIED AUTHORITY & DEPUTY LABOUR COMMISSIONER

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Appearance:

NANAVATI ASSOCIATES for Petitioner  
M/S PATEL ADVOCATES for Respondent No. 1  
MR KB PUJARA for Respondent No. 2  
MR KH BAXI for Respondent No. 3

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CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 23/09/1999

ORAL JUDGEMENT

Heard the learned advocates for the respective parties. In the present petition, the petitioner has challenged the order passed by the specified authority and the Deputy Labour Commissioner, Baroda dated 19th July, 1988 under section 25M of the Industrial Disputes

Act, 1947. The petitioner Co. has asked for permission to give lay off to 23 workmen under section 25M of the Industrial Disputes Act, 1947 ("the Act" for short). After considering the submissions made by both the sides, ultimately, the specified authority and the Deputy Labour Commissioner, Baroda rejected the said application seeking permission for giving lay off. Said order has been challenged by the petitioner Co. by filing the present petition before this Court. In this matter, the rule has been issued on 26th September, 1988. At the time of issuing the rule, this court has not granted any interim relief against the order dated 19th July, 1988.

2. I have heard the learned advocates for the respective parties. According to me, by passage of more than 11 years, this petition has otherwise become infructuous and, therefore, the petition shall stand disposed off as having become infructuous. Rule is discharged. There shall be no order as to costs.

23.9.1999. (H.K.Rathod,J.)

Vyas